

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Southern

District of

New York

KAPLAN, INC.

SUMMONS IN A CIVIL ACTION

V.

KENNETH CHOU, BENNY Y. CHANG,
JASON HANSON, DOES 2 through 20, ET AL.

CASE NUMBER: 1:07-cv-10677-HB

TO: (Name and address of Defendant)

Kenneth Chou, 111 Smith Lane, Apt. #34, Syracuse, NY 13210

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Scott E. Bain, Esq., The Software & Information Industry Association,
1090 Vermont Avenue, N.W., Suite 600, Washington, DC 20005 and
Thomas W. Kirby, Esq., Wiley Rein LLP, 1776 K Street, NW, Washington,
DC 20006

an answer to the complaint which is served on you with this summons, within twenty (20) days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

CLERK

(By)  DEPUTY CLERK

DATE

MAR 06 2008

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RETURN OF SERVICE		
Service of the Summons and complaint was made by me ⁽¹⁾	DATE <u>4-5-2008 @ 9:00AM</u>	
NAME OF SERVER (PRINT) <u>Richard J. Pickett</u>	TITLE <u>Process Server</u>	
Check one box below to indicate appropriate method of service		
<input checked="" type="checkbox"/> Served personally upon the defendant. Place where served: <u>60 Presidential Plaza, Apt 409</u> <u>Syracuse, NY 13202</u>		
<input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:		
<input type="checkbox"/> Returned unexecuted:		
<input type="checkbox"/> Other (specify): <u>Kenneth Chou is an Asian male approx. 6'0" tall</u> <u>220 lbs., with black hair and approx 28 years old,</u> <u>and was wearing glasses at time of service.</u>		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL \$0.00
DECLARATION OF SERVER		
I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.		
Executed on <u>4-7-2008</u> <div style="text-align: center;">Date</div>	<u>Richard J. Pickett</u> <div style="text-align: center;">Signature of Server</div>	
<u>120 Highland Ave, Sps. NY 13203</u> <div style="text-align: center;">Address of Server</div>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.